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Sara Wyrens

Applicant: Henry Webber
Serial No.: 09/879,472
Filed: June 11, 2000

Title: MODULAR ERGONOMIC
MULTI-FUNCTION, MULTI-
LAYER, UNIVERSAL
STANDARD KEYBOARD

Examiner: Yan, Ren L.
Group Art Unit: 2854
Atty Docket No.: 12538-11/JWE

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231
Commissioner:

Post Office Box 7680
Newport Beach, CA 92660-6441
November 11, 2002

In response to the Restriction Requirement dated **May 9, 2002** Applicant respectfully responds as follows:

The Restriction Requirement requires restriction of the application to one of the following inventions, under 35 U.S.C. § 121.

- I. Claims 1-6, drawn to a keyboard; and
- II. Claims 7-27, drawn to a multi-mode keyboard.

Applicant makes a provisional election of the claims of group II, i.e., claims 7-27, but traverses the Restriction Requirement as follows.

The Examiner has alleged that the inventions are related as combination and subcombination and has somehow determined that the subcombination has separate utility, such as being used as a game board.

Applicant respectfully disagrees.

In particular, both sets of claims are drawn to "A universal keyboard of the type comprising an alpha numeric portion having keys arranged in a plurality of substantially straight

vertical columns and a plurality of substantially straight vertical columns and a plurality of substantially straight horizontal rows, including a home row, so as to define an ortholynair array, the keyboard further comprising, etc.” The remaining elements of the claims of groups I and II are recitations dealing with how and where various keys are grouped and positioned in an ortholinear array so as to make the keyboard ergonomic and multi-functional.

In this regard, multi-functional does not mean that the keyboard can be used as a game board, skate board, or some other such board, but rather that the universal standard keyboard includes all of the functionality of a conventional keyboard *viz* a QWERTY typing keyboard, and editing pad, a computer function row, a numeric keypad, and the like.

Since all of the component parts of this novel keyboard are recited in each of the two lines of claims comprising the two allegedly distinction inventions, applicant submits that any search or examination performed on one invention would be substantially identical to any search or examination performed on the second invention.

In view of the foregoing, applicant respectfully requests reconsideration and withdrawal of the restriction requirement and examination of the application as a whole.

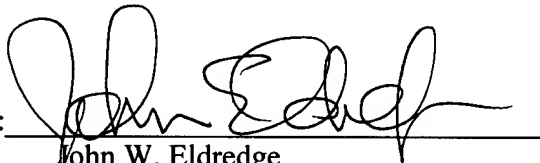
Application No. 09/879,472

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Respectfully submitted,

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JWE/pm